

MONDAY, MAY 7, 2001

THIRTY-FIFTH LEGISLATIVE DAY

The House met at 4:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Paul Sheaffer, West Colonial Heights Baptist Church, Kingsport, Tennessee.

Representative Westmoreland led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present.....96

Representatives present were: Armstrong, Arriola, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Buttry; personal reasons.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 151: Rep(s). Boyer as prime sponsor(s).

House Joint Resolution No. 336: Rep(s). Garrett as prime sponsor(s).

House Bill No. 180: Rep(s). Ridgeway, Shepard and Pinion as prime sponsor(s).

MONDAY, MAY 7, 2001 – THIRTY-FIFTH LEGISLATIVE DAY

House Bill No. 526: Rep(s). Boyer as prime sponsor(s).

House Bill No. 1039: Rep(s). Turner (Hamilton) and Cooper as prime sponsor(s).

House Bill No. 1350: Rep(s). Todd as prime sponsor(s).

House Bill No. 1490: Rep(s). Miller and Pleasant as prime sponsor(s).

House Bill No. 1603: Rep(s). Pleasant and Cooper as prime sponsor(s).

House Bill No. 1846: Rep(s). Fitzhugh, Turner (Hamilton) and Davidson as prime sponsor(s).

**MESSAGE FROM THE SENATE
May 7, 2001**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 60, 155 and 251; all adopted for concurrence.

RUSSELL A. HUMPHREY, Chief Clerk.

***Senate Joint Resolution No. 60** -- General Assembly, Directed Studies - Creates special joint committee to study election laws and effect of automation on electoral process. by *Rochelle.

***Senate Joint Resolution No. 155** -- Memorials, Government Officials - Urges state insurance committee to make available long-term care insurance as voluntary group plan for state employees and retirees on or before January 1, 2002. by *Rochelle, *Elsea, *Atchley, *Wilder, *Jackson, *Crutchfield, *Henry, *Trail, *Crowe, *Dixon, *Davis L, *Haynes, *Haun, *Carter, *Person, *Miller J, *Burchett, *Fowler, *McNally, *Blackburn, *Ramsey, *Harper, *Graves, *Cooper J, *Williams, *Clabough, *Herron, *Burks, *Ford J, *Cohen, *Kurita, *Kyle, *Norris.

Senate Joint Resolution No. 251 -- Memorials, Personal Occasion - Arthur Lee and Nellie Mae Rankin, 60th wedding anniversary. by *Fowler, *Person.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were previously introduced and referred to the appropriate Committee:

***House Joint Resolution No. 337** -- General Assembly, Studies - Creates special joint committee to study impact upon public TV in Tennessee of conversion of television broadcasting from analog to digital mode. by *Kisber.

House Finance, Ways and Means Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for May 9, 2001:

House Resolution No. 79 -- Memorials, Recognition - Anderson Street United Methodist Church of Bristol. by *Godsey.

House Resolution No. 80 -- Memorials, Interns - Memorie Kristina White,, by *Brown, *Winningham, *Towns.

House Joint Resolution No. 339 -- Memorials, Professional Achievement - Maggie Greene, Award of Recognition for Outstanding Teaching. by *Cole (Carter).

House Joint Resolution No. 341 -- Memorials, Death - James Larry "Doby" Sullivan. by *West.

House Joint Resolution No. 342 -- Memorials, Academic Achievement - Michelle Ziegler, Valedictorian, Antioch High School. by *West.

House Joint Resolution No. 343 -- Memorials, Sports - Alecia Ingram, Big 12 Conference's Newcomer of the Year and Gymnast of the Year. by *Overbey, *Cole (Dyer).

House Joint Resolution No. 344 -- Memorials, Personal Occasion - Thelma Limbaugh, 100th birthday. by *Fowlkes, *Beavers.

House Joint Resolution No. 346 -- Memorials, Academic Achievement - Benjamin B. Taylor, Salutatorian, William Blount High School. by *Overbey, *McCord.

House Joint Resolution No. 347 -- Memorials, Academic Achievement - Jason Burton Johnson, Valedictorian, William Blount High School. by *Overbey, *McCord.

House Joint Resolution No. 348 -- Memorials, Academic Achievement - Brian Matthew Hitchcock, Salutatorian, Alcoa High School. by *Overbey, *McCord.

House Joint Resolution No. 349 -- Memorials, Death - Senator Raymond Shadden and his wife, Evelyn Shadden. by *Walker , *Curtiss, *Rhinehart.

House Joint Resolution No. 350 -- Memorials, Academic Achievement - Kristen Richardson, Valedictorian, Culleoka High School. by *Sands.

House Joint Resolution No. 351 -- Memorials, Academic Achievement - John Curtis Boyter, Valedictorian, Spring Hill High School. by *Sands.

House Joint Resolution No. 352 -- Memorials, Academic Achievement - Rebekah Ellen Ruppel, Valedictorian, Zion Christian Academy. by *Sands, *White.

House Joint Resolution No. 353 -- Memorials, Academic Achievement - Rebecca Beth Kincade, Valedictorian, Hampshire Unit School. by *Sands, *White.

MONDAY, MAY 7, 2001 – THIRTY-FIFTH LEGISLATIVE DAY

House Joint Resolution No. 354 -- Memorials, Academic Achievement - Rebecca Leigh Riddle, Valedictorian, Columbia Academy. by *Sands.

House Joint Resolution No. 355 -- Memorials, Academic Achievement - Kaleb Monroe Kersey, Valedictorian, Mt. Pleasant High School. by *Sands.

House Joint Resolution No. 356 -- Memorials, Academic Achievement - Jason Colt Beard, Valedictorian, Santa Fe High School. by *Sands.

House Joint Resolution No. 357 -- Memorials, Academic Achievement - Sharon Thackston, Valedictorian, Columbia Central High School. by *Sands.

House Joint Resolution No. 358 -- Memorials, Retirement - Susie M. Davis-Jefferson. by *DeBerry L.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for May 9, 2001:

Senate Joint Resolution No. 251 -- Memorials, Personal Occasion - Arthur Lee and Nellie Mae Rankin, 60th wedding anniversary. by *Fowler, *Person.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

***House Bill No. 2002** -- Unicoi County - Authorizes county legislative body to direct county planning commission to regulate the placement, height and appearance of telephone microwave towers within unincorporated areas of county; such regulations must ensure adequate level of communication services while preserving scenic beauty of pre-existing, publicly-owned parks, preserves, forests and natural areas. Amends TCA Title 13, Chapter 24, Part 3. by *Whitson.

***House Bill No. 2006** -- Taxes - Authorizes additional 2 percent rental car tax in any county that is building or modifying arena for National Basketball Association team. Amends TCA Title 67, Chapter 4, Part 19. by *Bowers.

House Bill No. 2007 -- Chapel Hill - Subject to local approval, rewrites charter. Amends Chapter 493 of the Private Acts of 1921, as amended. by *Beavers, *Fowlkes.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 346** -- Basic Education Program (BEP) - Allows any state BEP funds to be used for salary adjustments or improvements. Amends TCA Section 49-3-306 and Section 49-3-351. by *Cooper J. (HB1679 by *Maddox, *Winningham)

Senate Bill No. 686 -- Business and Commerce - Defines term "Tennessee-based business enterprise." Amends TCA Section 1-3-105. by *Ford J. (*HB185 by *Brooks)

Senate Bill No. 753 -- Motor Vehicles - Makes unauthorized obtaining of credit reports and failure to disclose warranties and repair histories disciplinary offense for motor vehicle dealers and salespersons. Amends TCA Title 55. by *Dixon. (*HB523 by *Turner (Shelby), *Jones U (Shelby), *Miller L, *Cooper B)

***Senate Bill No. 852** -- Transportation, Dept. of - Enacts "Transportation Information Planning Act of 2001." Amends TCA Title 4, Chapter 3 and Title 54. by *Norris, *Blackburn. (HB774 by *Briley)

***Senate Bill No. 1058** -- Insurance, Health, Accident - Requires insurers to provide coverage for CA-125 blood tests for ovarian cancer for women age 30 and older. Amends TCA Title 56, Chapter 7, Part 25. by *Burks. (HB750 by *DeBerry L)

***Senate Bill No. 1170** -- Election Laws - Directs state coordinator of elections to study feasibility of internet voting in future state elections. Amends TCA Title 2. by *Herron. (HB1899 by *Shaw)

***Senate Bill No. 1391** -- Motor Vehicles - Authorizes, rather than requires, commissioner of transportation to demand surety bond be given before permit is issued to motor vehicle with excess weight or size. Amends TCA Section 55-7-205. by *Haun. (HB1814 by *Rinks)

Senate Bill No. 1672 -- Labor - Classifies child labor law violations in regard to minor under age 14 and youth peddling as Class D felonies; authorizes fine of \$1,000 to \$10,000 for hiring minor under 14; removes baptismal certificate as proof of age for minor in employment. by *Clabough, *Atchley. (*HB1395 by *Baird, *McDaniel)

***Senate Bill No. 125** -- Sunset Laws - University of Tennessee board of trustees, June 30, 2007. Amends TCA Title 4, Chapter 29 and Title 49, Chapter 9. by *Harper. (HB1622 by *Kernell, *Brooks, *Cooper B)

Senate Bill No. 667 -- Public Health - Prohibits use of treated ash aggregate (TAA) in residential areas (occupied or unoccupied). Amends TCA Title 68. by *Jackson. (*HB147 by *Odom)

Senate Bill No. 1103 -- Transportation, Dept. of - Creates "Transportation Reporting Act of 2001." Amends TCA Title 54, Chapter 1. by *Haynes. (*HB775 by *Briley)

MONDAY, MAY 7, 2001 – THIRTY-FIFTH LEGISLATIVE DAY

Senate Bill No. 1256 -- Highway Signs - Directs department of transportation to erect additional three panel extension to specific service signs; allows businesses qualified under service sign program to continue as qualified. Amends TCA Title 54, Chapter 5, Part 11. by *Cooper J. (*HB825 by *Ridgeway)

Senate Bill No. 1722 -- Taxes, Sales - Authorizes state to continue participation in multi-state discussions concerning streamlining and simplification of sales and use tax administration. Amends TCA Title 67, Chapter 6, by *Cooper J. (*HB1459 by *Kisber)

***Senate Bill No. 1731** -- Safety - Alters certain requirements pertaining to use of certain restraint systems in passenger motor vehicles. Amends TCA Title 55, Chapter 9, Part 6. by *Ford J. (HB1559 by *Brooks)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 2005 -- Williamson County -- Local Bill Held on House Desk

CONSENT CALENDAR

House Resolution No. 70 -- Memorials, Personal Achievement - Walker Flynt, Eagle Scout. by *Stanley.

House Resolution No. 71 -- Memorials, Professional Achievement - Joel Wilhite. by *Todd.

House Resolution No. 72 -- Memorials, Academic Achievement - Nioka Dawn Brewer, 2001 All-American Scholar. by *Mumpower.

House Resolution No. 73 -- Memorials, Academic Achievement - Sarah Wright, United States National Award Winner in History and Government. by *Mumpower.

House Resolution No. 75 -- Memorials, Academic Achievement - Nikki Davidson, United States Achievement Academy All-American Scholar. by *Mumpower.

House Resolution No. 76 -- Memorials, Academic Achievement - Keith Wright, United States Achievement Academy National Award Winner in English. by *Mumpower.

House Resolution No. 77 -- Memorials, Sports - Chris Vittletoe, State Record Saugeye. by *Dunn, *Buttry.

House Resolution No. 78 -- Memorials, Retirement - Billy Ross Ballard. by *Davidson.

House Joint Resolution No. 325 -- Memorials, Academic Achievement - Lincoln County High School Robotics Team. by *Fowlkes, *Phillips.

MONDAY, MAY 7, 2001 – THIRTY-FIFTH LEGISLATIVE DAY

House Joint Resolution No. 326 -- Memorials, Interns - Taffey Hall. by *Winningham, *Brown, *Davis (Washington), *McKee.

House Joint Resolution No. 328 -- Memorials, Death - Ralph Erwin, Jr. by *Mumpower.

House Joint Resolution No. 329 -- Memorials, Recognition - Friendship Baptist Church, 175th anniversary. by *McKee.

House Joint Resolution No. 330 -- Memorials, Recognition - Brandy McCarley. by *Dunn.

House Joint Resolution No. 332 -- Memorials, Professional Achievement - Athan Gibbs, Sr., designer of Tru-Vote. by *Turner (Shelby), *Jones U (Shelby), *DeBerry J, *Bowers, *Miller L, *Brooks.

House Joint Resolution No. 334 -- Memorials, Personal Achievement - Shaurya Chanana, Safest Kid in America. by *Harwell, *McDaniel.

House Joint Resolution No. 336 -- Memorials, Recognition - Purity Dairies, 75th anniversary. by *McDonald, *Arriola, *Williams (Williamson), *Bone, *West, *Newton.

House Joint Resolution No. 338 -- Memorials, Sports - William B. Caldwell, Paris-Henry County Sports Hall of Fame Distinguished Service Award. by *Ridgeway.

Senate Joint Resolution No. 220 -- Memorials, Recognition - Arnold Engineering Development Center, 50th anniversary. by *Burks.

Senate Joint Resolution No. 221 -- Memorials, Recognition - First Annual Gospel Quartet Awards, Concert, and Banquet. by *Haynes.

Senate Joint Resolution No. 223 -- Memorials, Death - John Netherton. by *Henry.

Senate Joint Resolution No. 224 -- Memorials, Recognition - Reverend Amos Baker, Sr. by *Crutchfield.

Senate Joint Resolution No. 225 -- Memorials, Death - Dennis Eugene Lilly. by *Crowe.

Senate Joint Resolution No. 226 -- Memorials, Recognition - Clarence DeLoach. by *Jackson.

Senate Joint Resolution No. 227 -- Memorials, Retirement - Jerry Ivey. by *Jackson.

Senate Joint Resolution No. 228 -- Memorials, Recognition - Jim Ayers. by *Jackson.

Senate Joint Resolution No. 230 -- Memorials, Interns - Cebriet Lee Harrell, Jr. by *McNally.

MONDAY, MAY 7, 2001 – THIRTY-FIFTH LEGISLATIVE DAY

***House Joint Resolution No. 151** -- Memorials, Congress - Urges appropriation of federal funds for special education, by *Winningham, *Davis (Washington), *Brown, *Scroggs, *Harwell, *Montgomery, *Patton, *Shaw, *Maddox, *Hagood, *Pinion, *Whitson, *Johnson, *Bunch, *Cooper B, *Caldwell, *Hood, *Davis (Cocke).

House Bill No. 996 -- Local Education Agency - Permits local boards of education to satisfy dissemination and availability of information requirements by allowing operating policy pamphlets to be kept in electronic format and available in each school library. Amends TCA Section 49-2-207. by *Hood, *McDonald. (*SB315 by *Trail)

On motion, House Bill No. 996 was made to conform with **Senate Bill No. 315**; the Senate Bill was substituted for the House Bill.

House Bill No. 1189 -- Hospitals and Health Care Facilities - Deletes July 1, 2001, expiration of restrictions on commissioner of health's authority to impose violation, citation, deficiency, or civil penalty on nursing home for conditions found during nursing home survey that relate to medically necessary physician's order. Amends TCA Section 68-11-210. by *Ferguson. (*SB369 by *Cooper J)

House Bill No. 1190 -- Insurance Companies, Agents, Brokers, Policies - Permits dental service plan corporations to keep required records by electronic means. Amends TCA Title 56, Chapter 30, Part 1. by *Ferguson. (*SB374 by *Cooper J)

On motion, House Bill No. 1190 was made to conform with **Senate Bill No. 374**; the Senate Bill was substituted for the House Bill.

House Bill No. 526 -- Child Custody and Support - Permits any grandparent to petition for visitation; court must determine danger of substantial harm to child and, if such danger is present, determine whether such visitation is in best interests of child. Amends TCA Title 36, Chapter 6, Part 3. by *Chumney, *Patton, *Garrett. (*SB397 by *Haynes)

***House Bill No. 1738** -- County Government - Requires legislative body of Shelby County to adopt enforceable financial policy limiting amount and type of debt; policy to be adopted within one year of effective date of this act. Amends TCA Title 5, Chapter 1, Part 2. by *Chumney. (SB1850 by *Norris)

***House Bill No. 413** -- Cemeteries - Lowers number of persons needed to petition district attorney general to bring action to remedy violation of cemetery company in properly maintaining cemetery or improvement care trust from lesser of 10 percent or 500 lot owners and next of kin of lot owners to lesser of 10 percent or 5 of such owners. Amends TCA Section 46-2-306. by *Bunch. (SB653 by *Burchett)

Rep. McDonald moved that all members voting aye on House Joint Resolution No. 336 be added as sponsors, which motion prevailed.

JOURNAL CORRECTION

House Joint Resolution No. 337 was inadvertently placed on the Consent Calendar on May 3, 2001 in error. On previous motion, it was referred to its appropriate standing Committee.

OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Bill No. 1189: by Rep. Miller

House Bill No. 526: by Rep. Caldwell

Under the rules, House Bill(s) No(s). 1189 and 526 was/were placed at the foot of the calendar for May 9, 2001.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	98
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Caldwell, Churnney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

REGULAR CALENDAR

***House Bill No. 578** -- Highway Signs - Dale Hollow Lake, Exit 286, 287, 288, 290 on I-40 in Cookeville. by *Winningham. (SB1069 by *Burks, *Haynes, *Norris, *Davis L)

Further consideration of House Bill No. 578 previously considered on March 26, 2001, April 23, 2001 and May 7, 2001, at which time it was reset for today's Calendar.

On motion, House Bill No. 578 was made to conform with **Senate Bill No. 1069**; the Senate Bill was substituted for the House Bill.

Rep. Winningham moved that Senate Bill No. 1069 be passed on third and final consideration.

Rep. Ridgeway moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 1069 By adding the following new, appropriately designated section immediately preceding the effective date section:

SECTION __.

(1) This act shall become operative only if Pickett County, Tennessee, either remits the estimated cost of the erection of such signs to the department of transportation within one (1) year of the effective date of this act or manufactures such signs in accordance with the provisions of subdivision (2). Pickett County shall make such payment prior to any expenditure by the state for manufacture or installation of such signs. The department shall return any unused portion of the estimated cost to Pickett County within thirty (30) days of the erection of such signs. If the actual cost exceeds the estimated cost, Pickett County shall remit an amount equal to the difference in such costs to the department within thirty (30) days of receiving an itemized invoice of the actual cost from the department.

(2) Pickett County may manufacture and erect such signs provided that such signs are manufactured and erected pursuant to state and federal guidelines and approved by the department.

On motion, Transportation Committee Amendment No. 1 was adopted.

Rep. Winningham moved that **Senate Bill No. 1069**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes98
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

MONDAY, MAY 7, 2001 – THIRTY-FIFTH LEGISLATIVE DAY

***House Bill No. 1798** -- Utilities, Utility Districts - Creates Bledsoe County Regional Water Authority. by *Rhinehart. (SB1763 by *Eisea)

On motion, House Bill No. 1798 was made to conform with **Senate Bill No. 1763**; the Senate Bill was substituted for the House Bill.

Rep. Rhinehart moved that **Senate Bill No. 1763** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes98
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

House Bill No. 1289 -- Health Care - Adds representative of assisted care living facility industry to board for licensing health care facilities; such person to be appointed by governor and to serve four-year term. Amends TCA Section 68-11-203. by *Arriola, *Jones, S.. (*SB1580 by *Kurita)

Further consideration of House Bill No. 1289 previously considered on May 3, 2001, at which time it was objected to on the Consent Calendar and reset for today's Regular Calendar.

Rep. Arriola moved that House Bill No. 1289 be reset for the Regular Calendar on May 14, 2001, which motion prevailed.

***House Bill No. 185** -- Business and Commerce - Defines term "Tennessee-based business enterprise." Amends TCA Section 1-3-105. by *Brooks. (SB686 by *Ford J)

On motion, House Bill No. 185 was made to conform with **Senate Bill No. 686**; the Senate Bill was substituted for the House Bill.

Rep. Brooks moved that Senate Bill No. 686 be passed on third and final consideration.

On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 1.

Rep. Brooks moved that **Senate Bill No. 686** be passed on third and final consideration, which motion prevailed by the following vote:

MONDAY, MAY 7, 2001 – THIRTY-FIFTH LEGISLATIVE DAY

Ayes91
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Caldwell, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, White, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 91.

A motion to reconsider was tabled.

House Bill No. 1603 -- Firefighters - Requires any municipal corporation or other political subdivision of state which maintains regular fire department with full-time employees, upon written request of any such employee, to make monthly deductions of membership dues for employee association if association's current membership is not less than 10 percent of qualified employees. Amends TCA Title 7, Chapter 51, Part 2. by *Jones, S., *Langster, *West, *Turner (Davidson), *Newton, *Briley, *Jones U (Shelby), *Pruitt, *Miller L, *Tindell, *Odom, *Turner (Hamilton). (*SB1366 by *Jackson)

Further consideration of House Bill No. 1603 previously considered on April 30, 2001, May 3, 2001 and May 7, 2001, at which time it was reset for today's Calendar.

Rep. S. Jones moved that **House Bill No. 1603** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes87
Noes3
Present and not voting3

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Briley, Brooks, Brown, Buck, Bunch, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Scroggs, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 87.

Representatives voting no were: Clem, Hagood, Stanley -- 3.

Representatives present and not voting were: Bone, Boyer, Sharp -- 3.

A motion to reconsider was tabled.

MONDAY, MAY 7, 2001 – THIRTY-FIFTH LEGISLATIVE DAY

House Bill No. 1742 -- Building Commission, State - Authorizes commission to supervise projects involving improvement, demolition, acquisition, disposal, or lease of property by foundation created to benefit University of Tennessee or any institution of state university and community college system of Tennessee. Amends TCA Section 4-15-102. by *Kisber. (*SB1788 by *Henry)

Rep. Davidson moved that House Bill No. 1742 be reset for the Regular Calendar on May 14, 2001, which motion prevailed.

House Bill No. 1039 -- Teachers, Principals and School Personnel - Revises provisions for teachers' duty-free planning periods; requires reporting to state department of education, and prohibits combining duty-free lunch period with duty-free planning period. Amends TCA Section 49-1-302(e). by *Winningham. (*SB1090 by *Burks)

Rep. Winningham moved that House Bill No. 1039 be passed on third and final consideration.

Rep. Winningham moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1039 by deleting amendatory subdivision (e)(2) in Section 1 of the printed bill and substituting the following:

(e)(2) The board shall develop and adopt rules and regulations providing teachers in kindergarten through grade twelve (K – 12) with duty-free planning periods during the established instructional day. The rules shall provide for annual reporting to the state department of LEA compliance by board policy or negotiations with a recognized professional employees' organization. At least two and one-half (2½) hours of planning time shall be provided each week during which teachers shall have no other assigned duties or responsibilities, other than planning for instruction. The two and one-half (2½) hours may be divided on a daily or other basis. Duty-free planning time shall not occur during any period that teachers are entitled to duty-free lunch. Any LEA which is providing a duty-free planning period by extending the school day by thirty (30) minutes as of the beginning of the 2000-2001 school year may continue such practice and satisfy the requirements of this section.

On motion, Education Committee Amendment No. 1 was adopted.

Rep. Winningham moved that **House Bill No. 1039**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0
Present and not voting	4

MONDAY, MAY 7, 2001 – THIRTY-FIFTH LEGISLATIVE DAY

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

Representatives present and not voting were: Bunch, Davis (Washington), Hagood, McCord -- 4.

A motion to reconsider was tabled.

House Bill No. 1843 -- Campaigns and Campaign Finance - Allows transfer of deceased incumbent's campaign account to incumbent's spouse if such spouse is appointed or elected to incumbent's office. Amends TCA Title 2, Chapter 10, by *Hargrove, *Rinks. (*SB186 by *Burchett)

Rep. Hargrove moved that House Bill No. 1843 be passed on third and final consideration.

Rep. U. Jones moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1843 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 2-10-114, is amended by adding the following language as a new subsections (d) and (e):

(d) In addition to the manner in which unexpended balances in the campaign account of a candidate may be allocated under the provisions of subsection (a), if an incumbent dies while in office and has an unexpended balance in a campaign account, and if such incumbent's surviving spouse or child is appointed to fill the unexpired term of the deceased incumbent or is elected to the office previously held by the deceased, then the balance remaining in the campaign account of such deceased incumbent shall be transferred to the campaign account of the surviving spouse or child of the deceased incumbent for use by such surviving spouse or child as a candidate for election to public office in accordance with the provisions of this part.

(e) In the event a candidate for public office dies with an unexpended balance of contributions in such candidate's campaign account and the provisions of subsection (d) are not applicable, then the following individuals in the descending order hereafter established are authorized to allocate such unexpended balance to those persons, political parties, or charitable organizations listed in subsection (a)(2), (3), (4) and (5):

(1) The deceased candidate's treasurer unless the candidate was the treasurer;

(2) The surviving spouse of the deceased candidate if the candidate was the treasurer; and

(3) The next of kin of the deceased candidate if the provisions of subdivisions (1) and (2) do not apply.

If a decision is not made by any such individual, or individuals where subdivision (3) applies, within one (1) year of the date of death of the deceased candidate, then the unexpended balance shall be distributed by the registry of election finance to the volunteer public education trust fund established under title 49, chapter 3, part 4.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, State and Local Government Committee Amendment No. 1 was adopted.

Rep. Hargrove moved that **House Bill No. 1843**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes96
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kemell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odum, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winingham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

REGULAR CALENDAR, CONTINUED

House Bill No. 1846 -- Students - Provides for alternative assessment and accountability procedures for special education students. Amends TCA Title 49, Chapter 1, Part 6. by *Hargrove, *Bunch. (*SB343 by *Cooper J, *Burks)

On motion, House Bill No. 1846 was made to conform with **Senate Bill No. 343**; the Senate Bill was substituted for the House Bill.

Rep. Hargrove moved that Senate Bill No. 343 be passed on third and final consideration.

On motion, Rep. Winningham withdrew Education Committee Amendment No. 1.

Rep. Turner (Hamilton) moved the previous question, which motion prevailed.

Rep. Hargrove moved that **Senate Bill No. 343** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brown, Buck, Bunch, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

Representatives present and not voting were: Brooks -- 1.

A motion to reconsider was tabled.

MONDAY, MAY 7, 2001 – THIRTY-FIFTH LEGISLATIVE DAY

***House Bill No. 851** -- Contractors - Requires board for licensing contractors to meet at least six times each year instead of meeting in specified months. Amends TCA Title 62, Chapter 6. by *Cole (Dyer). (SB1724 by *Haynes)

On motion, House Bill No. 851 was made to conform with **Senate Bill No. 1724**; the Senate Bill was substituted for the House Bill.

Rep. Cole (Dyer) moved that Senate Bill No. 1724 be passed on third and final consideration.

Rep. Cole (Dyer) moved that Amendment No. 1 be withdrawn, which motion prevailed.

On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 1 as House Amendment No. 2.

Rep. Cole (Dyer) moved that **Senate Bill No. 1724** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	98
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Caldwell, Churney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

***House Bill No. 179** -- Mental Retardation - Revises definition of "home health service" to expand exemption for services provided by community agencies serving persons with developmental disabilities residing in community pursuant to contract with department of mental health and developmental disabilities. Amends TCA Title 68, Chapter 11. by *Maddox, *Kisber, *Fitzhugh. (SB292 by *Rochelle)

BILL RE-REFERRED

Rep. Maddox moved that House Bill No. 179 be re-referred to Calendar and Rules, which motion prevailed.

REGULAR CALENDAR, CONTINUED

***House Bill No. 180** -- Mental Health and Developmental Disabilities, Dept. of - Requires department to use UAPA proceedings before imposing sanctions against mental health and developmental disabilities' licensees. Amends TCA Title 33, Chapter 2. by *Maddox, *Kisber, *Fitzhugh. (SB688 by *Ford J)

Rep. Maddox moved that House Bill No. 180 be passed on third and final consideration.

Rep. Pruitt moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 180 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 33, Chapter 2, is amended by adding a new section to be designated as Section 33-2-408 and renumbering the existing sections accordingly. The new section shall read as follows:

Section 33-2-408.

(a) All proceedings by the division of mental retardation services, to impose sanctions against licensed entities under this title shall be conducted in accordance with the Uniform Administrative Procedures Act, compiled in Title 4, Chapter 5. The proceedings shall include notice and opportunity for a hearing before an administrative law judge who shall issue an initial order.

(b) Sanctions shall include any action by the division, based upon alleged deficient practices of the licensed entity, to impose financial or contractual penalties including the following:-

(1) Financial penalties shall include fines, liquidated damages or denial, withholding or delay of a payment as a sanction against such entity.

(2) Imposition of moratoria on admissions when such limitations are unrelated to state budget considerations.

(3) Actions against the entity based upon allegations that the entity is responsible for abuse, neglect or mistreatment of an individual for whom the entity is responsible.

(c) Sanctions do not include any action to recoup monies that are determined by the division to be unearned, according to stipulations specified in the provider agreement between the division and the provider.

(d) The provisions of this section shall not prevent termination of any contract with the licensed entity in accordance with the provisions of that contract. In such cases the contractor shall have only the due process rights, if any, otherwise provided by law regarding termination of state contracts.

(e) All sanctions, except for financial sanctions, may be imposed immediately by the division. This does not prevent the provider from appealing the decision using the UAPA process.

(f) These requirements shall not prevent the division or the provider from pursuing alternative means of resolving issues related to sanctions while the UAPA process is pending.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Health and Human Resources Committee Amendment No. 1 was adopted.

Rep. White moved the previous question, which motion prevailed.

Rep. Maddox moved that **House Bill No. 180**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 1301 -- Education - Requires TCAP scores to be disaggregated prior to public release. Amends TCA Title 49, Chapter 1, Part 6; Title 49, Chapter 6, Part 60 and Section 49-1-211. by *Turner (Shelby), *Jones U (Shelby), *DeBerry J, *Miller L, *Brooks, *Bowers. (*SB744 by *Dixon)

Rep. Turner (Shelby) moved that **House Bill No. 1301** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes94
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

***House Bill No. 1350** -- Alcoholic Offenses - Specifies that beer and malt beverages are included under prohibition against selling, furnishing, disposing of or giving alcohol to minors. Amends TCA § 57-4-203. by *Kent. (SB1627 by *Burchett, *Burks)

On motion, House Bill No. 1350 was made to conform with **Senate Bill No. 1627**; the Senate Bill was substituted for the House Bill.

Rep. Kent moved that Senate Bill No. 1627 be passed on third and final consideration.

Rep. U. Jones moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 1627 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-4-203(b)(1), is amended by designating the existing language as subdivision (A) and by adding the following language as a new subdivision (B):

(B) Any licensee engaging in business regulated hereunder or any employee thereof who sells, furnishes, disposes of, gives, or causes to be sold, furnished, disposed of, or given any beer or malt beverage as defined in §57-6-102 to any person under twenty-one (21) years of age is guilty of a Class A misdemeanor.

SECTION 2. This act shall take effect July 1, 2001, the public welfare requiring it.

On motion, State and Local Government Committee Amendment No. 1 was adopted.

MONDAY, MAY 7, 2001 – THIRTY-FIFTH LEGISLATIVE DAY

Rep. Kent moved that **Senate Bill No. 1627**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes98
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

House Bill No. 270 -- Managed Care Organizations - Requires commissioner of commerce and insurance in consultation with commissioner of health to promulgate by rule uniform claims process for TennCare MCOs and providers. Amends TCA Title 56 and Title 71. by *Williams (Williamson). (*SB136 by *Kurita, *Crowe, *Davis L)

On motion, House Bill No. 270 was made to conform with **Senate Bill No. 136**; the Senate Bill was substituted for the House Bill.

Rep. Williams moved that Senate Bill No. 136 be passed on third and final consideration.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 136 By adding the following language in the amendatory language of subsection (a) of Section 1 after the first sentence:

Each managed care organization, or their designee, which participates in the TennCare program may participate in the development of such uniform claims process. The commissioner of commerce and insurance shall notify all such managed care organizations no less than ten (10) days prior to any and all meetings concerning the development of such claims process to enable such organizations to provide input on the development of such claims process.

On motion, Commerce Committee Amendment No. 1 was adopted.

Rep. Williams moved that **Senate Bill No. 136**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

MONDAY, MAY 7, 2001 – THIRTY-FIFTH LEGISLATIVE DAY

Ayes96
Noes1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

Representatives voting no were: Shaw -- 1.

A motion to reconsider was tabled.

House Bill No. 843 -- Insurance, Motor Vehicles - Changes amount of time records of surplus lines contracts shall be kept open for inspection from three years to five years. Amends TCA Title 56, Chapter 14. by *Williams (Williamson). (*SB1527 by *Rochelle)

On motion, House Bill No. 843 was made to conform with **Senate Bill No. 1527**; the Senate Bill was substituted for the House Bill.

Rep. Williams moved that Senate Bill No. 1527 be passed on third and final consideration.

On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 1.

Rep. Williams moved that **Senate Bill No. 1527** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes97
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

MONDAY, MAY 7, 2001 – THIRTY-FIFTH LEGISLATIVE DAY

House Bill No. 1776 -- Teachers, Principals and School Personnel - Allows boards of education rather than directors of schools to select teachers and set their salaries and contracts. Amends TCA Section 49-2-203(a) and Section 49-2-301(f), by *McMillan, *Fitzhugh, *Davis (Cocke), *Cooper B, *Sands, *Williams (Williamson), *Pinion, *Turner (Shelby), *Shaw, *Shepard, *Hood, *Towns, *Winningham. (*SB290 by *Rochelle, *Williams)

On motion, House Bill No. 1776 was made to conform with **Senate Bill No. 290**; the Senate Bill was substituted for the House Bill.

Rep. McMillan moved that Senate Bill No. 290 be passed on third and final consideration.

On motion, Rep. Winningham withdrew Education Committee Amendment No. 1.

Rep. Rhinehart moved the previous question, which motion prevailed.

Rep. McMillan moved that **Senate Bill No. 290** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

Representatives present and not voting were: Bunch -- 1.

A motion to reconsider was tabled.

***House Bill No. 1651** -- Public Records - Exempts general assembly from records management act. Amends TCA Title 10, Chapter 7. by *Davidson. (SB1896 by *Cooper J)

Rep. Davidson moved that House Bill No. 1651 be passed on third and final consideration.

MONDAY, MAY 7, 2001 – THIRTY-FIFTH LEGISLATIVE DAY

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1651 By deleting all language following the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 10-7-301, is amended by deleting subdivision (1) in its entirety and by substituting instead the following:

(1) "Agency" means any department, division, board, bureau, commission, or other separate unit of government created by law or pursuant to law, including the legislative branch and the judicial branch; provided, however, that for purposes of this part only, "agency" does not include the legislative branch;

SECTION 2. Tennessee Code Annotated, Section 10-7-303(f), is amended by deleting subdivision (1) in its entirety.

SECTION 3. Tennessee Code Annotated, Section 10-7-303, is amended by deleting subdivision (g) in its entirety and by substituting instead the following:

(g) This part applies to judicial records but does not apply to legislative records.

SECTION 4. This act shall take effect July 1, 2001, the public welfare requiring it.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Davidson moved that **House Bill No. 1651**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes96
Noes.....1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

Representatives voting no were: Bunch -- 1.

A motion to reconsider was tabled.

MONDAY, MAY 7, 2001 – THIRTY-FIFTH LEGISLATIVE DAY

House Bill No. 1652 -- General Assembly - Authorizes each house by rule to permit, limit, or control use of audio/video materials produced by or under direction of general assembly; creates cause of action or injunction for unauthorized use; requires media, candidates, and political parties be notified of unauthorized use. Amends TCA Title 2, Chapter 19, Part 1 and Title 3, Chapter 1, Part 1. by *Davidson. (*SB1237 by *Cooper J)

CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

REGULAR CALENDAR, CONTINUED

Rep. Davidson moved that House Bill No. 1652 be reset for the Regular Calendar on May 10, 2001, which motion prevailed.

House Bill No. 1133 -- Domestic Violence - Authorizes supreme court to consult with domestic violence coordinating council and to promulgate forms for orders of protection that are uniform with similar forms promulgated in other states and removes present such forms from statute. Amends TCA Section 36-3-604. by *McMillan. (*SB1080 by *Burks)

Rep. McMillan moved that House Bill No. 1133 be passed on third and final consideration.

Rep. Chumney moved adoption of Children and Family Affairs Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1133 by deleting subsection (b) of the amendatory language of SECTION 1 and substituting instead the following:

(b) The administrative office of the courts, in consultation with the domestic violence coordinating council, shall, by October 1, 2001, develop a "Petition for Orders of Protection" form, an "Amended Order of Protection" form, an "Ex Parte Order of Protection" form and such other forms as are found to be necessary and advisable. To the extent possible, the forms shall be uniform with those promulgated by surrounding states so that Tennessee forms may be afforded full faith and credit.

(c) These forms shall be used exclusively in all courts exercising jurisdiction over orders of protection.

On motion, Children and Family Affairs Committee Amendment No. 1 was adopted.

Rep. McMillan moved that **House Bill No. 1133**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

MONDAY, MAY 7, 2001 – THIRTY-FIFTH LEGISLATIVE DAY

Ayes98
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

House Bill No. 1490 -- Insurance Companies, Agents, Brokers, Policies - Requires insurer that fails to return unearned premiums to finance company within 30 days of cancellation of financed insurance contract be liable for finance charges or interest assessed against policyholder. Amends TCA Section 56-37-111. by *McMillan, *Walker. (*SB474 by *Kyle)

On motion, House Bill No. 1490 was made to conform with **Senate Bill No. 474**; the Senate Bill was substituted for the House Bill.

Rep. McMillan moved that Senate Bill No. 474 be passed on third and final consideration.

On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 1.

Rep. McMillan moved that **Senate Bill No. 474** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes98
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

MONDAY, MAY 7, 2001 – THIRTY-FIFTH LEGISLATIVE DAY

***House Bill No. 198** -- Liens - Gives marinas same enforcement of lien on vessels or personal watercraft as garagekeepers have on vehicles in their possession. Amends TCA Title 66, Chapter 19, Part 2. by *Bittle, *Curtiss. (SB187 by *Burchett, *Ramsey, *Crowe, *Williams, *Davis L, *Person)

On motion, House Bill No. 198 was made to conform with **Senate Bill No. 187**; the Senate Bill was substituted for the House Bill.

Rep. Bittle moved that Senate Bill No. 187 be passed on third and final consideration.

On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 1.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 187 by inserting in the amendatory of language of Section 1, subsection (a), the words "after 'reasonable inquiry' and notice to interested parties" between the figures "66-14-106" and "except the marina".

AND FURTHER AMEND by inserting in the amendatory language of Section 1, subsection (b), the following as a new appropriately numbered item:

- () "Reasonable inquiry" shall mean (i) a search request for the filing of a security interest under the Uniform Commercial Code if a personal watercraft or
- (ii) a search request to the U.S. Coast Guard if a vessel.

Rep. Bittle moved that Senate Bill No. 187 be reset for the Regular Calendar on May 9, 2001, which motion prevailed.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. McMillan moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 340 out of order, which motion prevailed.

House Joint Resolution No. 340 -- Memorials, Professional Achievement - Kaye Phillips Warren, Award of Recognition for Outstanding Teaching. by *McMillan, *Head.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. McMillan, the resolution was adopted.

A motion to reconsider was tabled.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1184: Rep(s). Buck and McMillan as prime sponsor(s).

House Bill No. 1757: Rep(s). Pinion as prime sponsor(s).

House Bill No. 1758: Rep(s). Pinion as prime sponsor(s).

House Bill No. 1759: Rep(s). Pinion as prime sponsor(s).

House Bill No. 1895: Rep(s). Pinion as prime sponsor(s).

House Bill No. 1916: Rep(s). Chumney as prime sponsor(s).

House Bill No. 1931: Rep(s). Naifeh as prime sponsor(s).

House Bill No. 1932: Rep(s). Naifeh as prime sponsor(s).

House Bill No. 1933: Rep(s). Naifeh as prime sponsor(s).

ENGROSSED BILLS

May 7, 2001

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 1704.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENROLLED BILLS

May 7, 2001

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bills(s) No(s). 357.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

May 7, 2001

The Speaker signed the following: House Bill(s) No(s). 357.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

May 7, 2001

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 357; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

ENGROSSED BILLS

May 7, 2001

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 1039 and 1301.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

May 7, 2001

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 309, 310 and 311; all concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

May 7, 2001

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 340; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

ENGROSSED BILLS

May 7, 2001

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 180, 413, 1133, 1603, 1651, 1738, 1843, also, House Joint Resolution(s) No(s). 151, 325, 326, 328, 329, 330, 332, 334, 336, 338 and 340.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
May 7, 2001**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 369; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

***Senate Bill No. 369** -- Hospitals and Health Care Facilities - Deletes July 1, 2001, expiration of restrictions on commissioner of health's authority to impose violation, citation, deficiency, or civil penalty on nursing home for conditions found during nursing home survey that relate to medically necessary physician's order. Amends TCA Section 68-11-210. by *Cooper J. (HB1189 by *Ferguson)

**MESSAGE FROM THE SENATE
May 7, 2001**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 903, 1040 and 1922; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

**MESSAGE FROM THE SENATE
May 7, 2001**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 577 and 1412; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

**ENROLLED BILLS
May 7, 2001**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 70, 71, 72, 73, 75, 76, 77 and 78; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED
May 7, 2001**

The Speaker signed the following: House Resolution(s) No(s). 70, 71, 72, 73, 75, 76, 77 and 78.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

May 7, 2001

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1704; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

May 7, 2001

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1301; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

May 7, 2001

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 41, 732, 817, 1110, 1173, 1461 and 1487; all passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

***Senate Bill No. 41** -- Sunset Laws - Commission of Indian affairs, June 30, 2002. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 34. by *Harper. (HB1617 by *Kernell, *Cooper B)

***Senate Bill No. 732** -- Juvenile Offenders - Rewrites "Tennessee Teen Court Program of 2000." Amends TCA Section 8-42-101; Title 37, Chapter 1, Part 7 and Section 39-17-1505. by *Graves. (HB830 by *Fowlkes)

***Senate Bill No. 817** -- Employees, Employers - Authorizes police department employee to request monthly payroll deduction for membership dues in employee association; requires political subdivision to comply with request if 10 percent of all employees belong to association. Amends TCA Title 7, Chapter 51, Part 2. by *Davis L. (HB1036 by *Kent, *West)

***Senate Bill No. 1110** -- Consumer Protection - Expands consumer actions and definition of "consumer" to include out-of-state consumers if violator located in whole or in part in state; moneys awarded to consumer in state action are set off in any private action. Amends TCA Title 47, Chapter 18. by *Herron. (HB1757 by *Sands, *Ridgeway, *Pinion)

Senate Bill No. 1173 -- Education - Provides for detailed report on reading programs in Tennessee by state board of education, state department of education, and THEC. Amends TCA Title 49, Chapter 1, Part 9. by *Crutchfield. (*HB716 by *Turner (Hamilton))

MONDAY, MAY 7, 2001 – THIRTY-FIFTH LEGISLATIVE DAY

***Senate Bill No. 1461** -- Safety, Dept. of - Requires department to conduct promotional campaign regarding used oil collection act. Amends TCA Title 54 and Title 55, by *Cohen. (HB1534 by *Odom)

***Senate Bill No. 1487** -- Election Laws - Revises election law. Amends TCA Title 2, Chapter 19, Part 1; Section 2-2-107; Section 2-2-109; Section 2-2-116; Section 2-2-124; Section 2-3-107; Section 2-4-103; Section 2-4-109; Section 2-5-102; Section 2-5-204; Section 2-7-104; Section 2-7-133; Section 6-53-101; Section 8-8-102 and Section 49-2-504, by *Rochelle. (HB1844 by *Hargrove)

ROLL CALL

The roll call was taken with the following results:

Present.....98

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

RECESS MOTION

On motion of Rep. Davidson, the House stood in recess until 2:00 p.m., Wednesday, May 9, 2001.